

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY (NEWARK)</b>	
<b>RAS Crane, LLC</b> 10700 Abbott's Bridge Road, Suite 170 Duluth, GA 30097 Telephone Number 470-321-7112 Attorneys for Secured Creditor <b>The Bank Of New York Mellon as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2002-21A</b>  Shauna Deluca, Esq. (SD-8248)	CASE NO.: 19-27945-JKS  CHAPTER 13  <b>Objection to Confirmation of Debtor's Chapter 13 Plan</b>
<b>In Re:</b>  <b>Madhu Agarwal</b> <b>aka Madhu B Agarwal</b> <b>aka Madhubala Agarwal,</b>  <b>Debtor.</b>	

**OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

The Bank Of New York Mellon as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2002-21A ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE # 3), and states as follows:

1. Debtor, Madhu Agarwal ("Debtor"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on September 20, 2019.
2. Secured Creditor holds a security interest in the Debtor's real property located at 270 Princeton Ave, Jersey City, NJ 07305, by virtue of a Mortgage recorded on October 15, 2002 in Book 9329, at Page 068 of the Public Records of Hudson County, NJ. Said Mortgage secures a Note in the amount of \$151,000.00.
3. The Debtor filed a Chapter 13 Plan on September 20, 2019.
4. The Plan fails to include treatment of Secured Creditor's claim. However, the subject property and claim are acknowledged in Debtor's Schedules. It is anticipated that the pre-petition arrears owed to Secured Creditor is approximately \$111,909.06. Debtor is

obligated to fund a Plan which is feasible to cure the arrears owed to the objecting creditor within a reasonable time pursuant to 11 U.S.C § 1322(b)(5). Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed.

5. Secured Creditor objects to the Plan and seeks clarification as to Debtor's intentions in regard to the subject property and claim, as well as any plan which proposes to pay it anything less than \$111,909.06 as the pre-petition arrearage over the life of the plan, subject to the final figures in the anticipated proof of claim.

**WHEREFORE**, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

Dated: October 8, 2019

RAS Crane, LLC  
Attorney for Secured Creditor  
10700 Abbott's Bridge Road, Suite 170  
Duluth, GA 30097  
Telephone Number 470-321-7112  
By: /s/Shaua Deluca  
Shaua Deluca, Esquire  
NJ Bar Number SD-8248  
Email: sdeluca@rasflaw.com

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY (NEWARK)</b>	
<b>RAS Crane, LLC</b> 10700 Abbott's Bridge Road, Suite 170 Duluth, GA 30097 Telephone Number 470-321-7112 Attorneys for Secured Creditor <b>The Bank Of New York Mellon as Trustee          for Structured Asset Securities Corporation          Mortgage Pass-Through Certificates, Series          2002-21A</b>  Shauna Deluca, Esq. (SD-8248)	CASE NO.: 19-27945-JKS  CHAPTER 13  <b>Objection to Confirmation of Debtor's          Chapter 13 Plan</b>
<b>In Re:</b>  <b>Madhu Agarwal</b> <i>aka Madhu B Agarwal</i> <i>aka Madhubala Agarwal,</i>  <b>Debtor.</b>	

**CERTIFICATION OF SERVICE**

1. I, Shauna Deluca, represent The Bank Of New York Mellon as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2002-21A in this matter.
2. On October 8, 2019, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below: Objection to Confirmation of Plan.
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: October 8, 2019

RAS Crane, LLC  
 Attorney for Secured Creditor  
 10700 Abbott's Bridge Road, Suite 170  
 Duluth, GA 30097  
 Telephone Number 470-321-7112  
 By: /s/Shaua Deluca  
 Shauna Deluca, Esquire  
 NJ Bar Number SD-8248  
 Email: sdeluca@rasflaw.com

<u>Name and Address of Party Served</u>	<u>Relationship of Party to the Case</u>	<u>Mode of Service</u>
Nicholas Fitzgerald Fitzgerald & Crouch, P.C. 649 Newark Avenue Jersey City, NJ 07306	Attorney for Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
Madhu Agarwal 419 Esplanade Maywood, NJ 07607	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
Marie-Ann Greenberg Chapter 13 Standing Trustee 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)